

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

vs.

E.I. DU PONT DE NEMOURS AND
COMPANY and
PIONEER HI-BRED INTERNATIONAL,
INC.,

Defendants.

Case No. 4:09-cv-00686-ERW

**PLAINTIFFS' MOTION FOR LEAVE
TO FILE A BRIEF IN EXCESS OF FIFTEEN PAGES**

Plaintiffs, Monsanto Company and Monsanto Technology LLC (collectively "Monsanto"), respectfully request leave of Court allowing Monsanto to file Monsanto's Opposition to Defendants' Motion to Modify the November 2, 2010 *Markman* Memorandum and Order, consisting of 21 pages.

In support of this motion, Monsanto states that Defendants sought and received permission to file an over length brief in support of their Motion to Modify the November 2, 2010 *Markman* Memorandum and Order. The extra pages of Monsanto's opposition are required to adequately address the issues raised in Defendants' motion to modify and supporting memorandum.

Dated: December 14, 2010

Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Joseph P. Conran .

Joseph P. Conran, E.D.Mo. # 21635MO

joe.conran@huschblackwell.com

Omri E. Praiss, E.D.Mo. # 41850MO

omri.praiss@huschblackwell.com

Greg G. Gutzler, E.D.Mo. # 48893MO

greg.gutzler@huschblackwell.com

Tamara M. Spicer, E.D.Mo. # 54037MO

tamara.spicer@huschblackwell.com

Steven M. Berezney, E.D.Mo. # 56091MO

steve.berezney@huschblackwell.com

190 Carondelet Plaza, Suite 600

St. Louis, MO 63105

(314) 480-1500 – telephone

(314) 480-1505 – facsimile

WINSTON & STRAWN LLP

Dan K. Webb

dwebb@winston.com

George C. Lombardi

glombardi@winston.com

Todd J. Ehlman

tehlman@winston.com

James M. Hilmert

jhilmert@winston.com

35 W. Wacker Drive, Suite 4200

Chicago, IL 60601

(312) 558-5600 – telephone

(312) 558-5700 – facsimile

John J. Rosenthal
jrosenthal@winston.com
Matthew A. Campbell
macampbell@winston.com
Jovial Wong
jwong@winston.com
1700 K Street, N.W.
Washington, DC 20006
(202) 282-5000 – telephone
(202) 282-5100 – facsimile

Gail J. Standish
gstandish@winston.com
333 South Grand Avenue
Los Angeles, CA 90071-1543
(213) 615-1700 – telephone
(213) 615-1750 – facsimile

MCDERMOTT WILL & EMERY
Steven G. Spears
sspears@mwe.com
Scott W. Clark
sclark@mwe.com
1000 Louisiana Street, Suite 3900
Houston, TX 77002-5005
(713) 653-1700 – telephone
(713) 739-7592 – facsimile

COVINGTON & BURLING LLP
Kurt G. Calia
kcalia@cov.com
1201 Pennsylvania Avenue, NW
Washington, DC 20004-2401
(202) 662-6000 – telephone
(202) 662-6291 – facsimile

ARNOLD & PORTER LLP
Anthony J. Franze
anthony.franze@aporter.com
555 Twelfth Street, N.W.
Washington, DC 20004
(202) 942-5000 – telephone
(202) 942-5999 – facsimile

*Attorneys for Plaintiff Monsanto Company and
Monsanto Technology LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 14th day of December, 2010, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, and was served by operation of that Court's electronic filing system, upon the following:

Andrew Rothschild, Esq.
C. David Goerisch, Esq.
Lewis, Rice & Fingersh, L.C.
600 Washington, Suite 2500
St. Louis, MO 63102

Leora Ben-Ami, Esq.
Thomas F. Fleming, Esq.
Christopher T. Jagoe, Esq.
Howard S. Suh, Esq.
Jeanna Wacker, Esq.
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022

Donald L. Flexner, Esq.
Hershel Wancjer, Esq.
Cynthia Christian, Esq.
Robert M. Cooper, Esq.
Boies, Schiller & Flexner LLP
575 Lexington Avenue, 7th Fl.
New York, NY 10022

James P. Denvir, Esq.
Amy J. Mauser, Esq.
Boies, Schiller & Flexner LLP
5301 Wisconsin Avenue, N.W.
Washington, D.C. 20015

Attorneys for Defendants

/s/ Joseph P. Conran .